

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

-----x
CADDELL DRY DOCK AND REPAIR CO., INC., :
: Plaintiff, : CASE NO.:
: : 1:20-cv-00685 (EK-LB)
- against - :
: BOUCHARD TRANSPORTATION CO., INC., :
in personam, BARGE B. NO. 280, *in rem*, and :
B. NO. 280 CORP., *in personam*, :
: Defendants. :
-----x

ORDER APPOINTING PLAINTIFF AS SUBSTITUTE CUSTODIAN

Upon the Motion of Plaintiff, Caddell Dry Dock and Repair Co., Inc. for appointment as Substitute Custodian for the Defendant, BARGE B. NO. 280 (hereinafter "Barge"), in substitution for the United States Marshal in this case, and good cause appearing therefore, it is hereby:

ORDERED that the Plaintiff's Motion is granted, and the United States Marshal shall transfer custody of the Vessel to the custody of Plaintiff as the substitute custodian; and it is further

ORDERED that United States Marshal be, and it hereby is authorized and directed, upon arrival of their agent, to surrender the possession of the Vessel to Plaintiff, and upon such surrender, the United States Marshal, its officers, deputies, agents, servants, employees and insurers shall be in all respects discharged from all duties and responsibilities for the safekeeping of said Vessel; and it is further

ORDERED that upon transfer of the Vessel to Plaintiff by the United States Marshal, the United States Marshal shall not be liable for any loss occurring while she remains in the custody of the substitute custodian; and it is further

ORDERED that Plaintiff shall cause and be responsible to have the Vessel remain at an appropriate berth, mooring, anchorage, and/or other secure location within the Eastern District of New York; and it is further

ORDERED that Plaintiff shall retain custody for possession and safekeeping of the Vessel until further Order of the Court; and it is further..

ORDERED that the fees and costs of the U.S. Marshal, dockage, and Plaintiff's costs incurred in seizing and maintaining maintain the Vessel under arrest are designated as *custodia legis* expenses.

It is so ORDERED.

SIGNED at Brooklyn, New York on February _____, 2020.

UNITED STATES DISTRICT JUDGE